

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ST. CLAIR INTELLECTUAL PROPERTY
CONSULTANTS, INC.,

Plaintiff,

v.

ACER, INC., ACER AMERICA CORPORATION,
DELL, INC., GATEWAY COMPANIES, INC.,
GATEWAY, INC., LENOVO GROUP LIMITED,
and LENOVO (UNITED STATES) INC.,

Defendants.

C.A. No. 09-354-JJF

ST. CLAIR INTELLECTUAL PROPERTY
CONSULTANTS, INC.,

Plaintiff,

v.

APPLE INC., TOSHIBA CORPORATION,
TOSHIBA AMERICA INFORMATION
SYSTEMS, INC., and TOSHIBA AMERICA, INC.

Defendants.

C.A. No. 09-704-JJF

STIPULATION AND ORDER OF CONSOLIDATION

IT IS HEREBY STIPULATED, by and between the parties hereto, through their
respective counsel, subject to the approval of the Court, that:

(1) These cases, C.A. No. 09-354-JJF and C.A. No. 09-704-JJF, shall be consolidated
for all purposes. Hereafter, all filings shall be made only in C.A. No. 09-354-JJF.

(2) Except as otherwise already agreed between the parties and entered by the Court in
C.A. No. 09-704-JJF, the Rule 16 Scheduling Order entered by the Court in C.A. No. 09-354-JJF

on October 3, 2009 (D.I. 31) shall control all future proceedings in these consolidated cases. With respect to that Scheduling Order, paragraph 14 shall be amended to note that although the trial will commence on October 11, 2011, the Court will reserve until the Pretrial Conference the question of what form the trial will take, i.e., whether claims against all defendants will be tried together or in some other form.

BAYARD, P.A.

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Attorneys for Plaintiff St. Clair Intellectual Property Associates, Inc.

Attorneys for Defendants

November 20, 2009

November 20, 2009

SO ORDERED, this ____ day of November, 2009.

The Honorable Joseph J. Farnan, Jr.
United States District Judge